

FROM MANCHOUKHO GOVERNMENT OFFICIAL GAZETTE
May 1, 1937 Page 1

(1) Law Controlling Important Industries
Imperial Ordinance No. 60
Promulgated May 1, 1937

Article I. A person desiring to engage in any of the important industries shall obtain permission therefor of the State Minister or Ministers concerned in accordance with orders issued.

The kinds of the important industries shall be determined by Imperial Ordinance.

Article II. A person engaged in any of the important industries shall submit to the State Minister or Ministers concerned a written statement of his business program and a report on his business for each business year in accordance with orders issued.

Article III. The State Minister or Ministers concerned may issue to a person engaged in any of the important industries orders necessary for upholding the public interest or for exercising control in connection with such person's business.

Article IV. In case it is deemed especially necessary, the State Minister or Ministers concerned may cause a person engaged in any of the important industries to submit a report on the conditions of his business or property, or cause the officials concerned to conduct an examination of such person's safes, books and other documents or articles.

Article V. In any of the cases hereinunder mentioned, a person engaged in any of the important industries shall obtain permission of the State Minister or Ministers concerned in accordance with orders issued;

1. When the said person desires to enter into an agreement for effecting a control or revise or abolish such agreement;
2. When the said person desires to enlarge his equipment for production or effect a change therein;
3. When the said person desires to transfer to other persons the whole or part of his business;
4. When a merger is to be effected, in case the said person is a juridical person.

Article VI. In either of the cases hereinunder mentioned, a person engaged in any of the important industries shall report to the State Minister or Ministers concerned without delay

1. When the said person has abolished or suspended the whole or part of his business,
2. When liquidation has been effected, in case the said person is a juridical person.

Article VII. When a person engaged in any of the important industries has violated the present law or orders issued thereunder or dispositions made under such orders, the State Minister or Ministers concerned may cancel the permission mentioned in Article I.

Article VIII. When a person has engaged in any of the important industries without the permission of the State Minister or Ministers concerned, such person shall be punished with a fine not exceeding five thousand yuan (MY5,000).

Article IX. When a person has engaged in any of the important industries falls under either of the cases hereinunder mentioned, such person shall be punished with a fine not exceeding one thousand yuan (MY1,000):

1. When the said person has violated the order issued by the State Minister or Ministers concerned in accordance with the stipulation of Article VII.
2. When the said person has violated the stipulations of Article V.

Article X. When a person has failed to submit the report ordered by virtue of the stipulation of Article IV or has made a false report or has refused, obstructed or evaded the examination mentioned in the same Article, such person shall be punished with a fine not exceeding three hundred yuan (MY300).

Article XI. When a person has violated the stipulation of Article II or Article VI, such person shall be punished with a fine not exceeding one hundred yuan (MY100).

Article XII. When an employee or an operative has committed in connection with his employer's business any act that falls within the purview of the penal regulations of the present law, the employers, as well as the perpetrator of the act, shall be punished. In case, however, the employer is a sufferer from mental derangement or is a minor not possessing the same degree of business ability as an adult, his legal representative or representatives shall be punished.

Article VI. In either of the cases hereinunder mentioned, a person engaged in any of the important industries shall report to the State Minister or Ministers concerned without delay

1. When the said person has abolished or suspended the whole or part of his business,
2. When liquidation has been effected, in case the said person is a juridical person.

Article VII. When a person engaged in any of the important industries has violated the present law or orders issued thereunder or dispositions made under such orders, the State Minister or Ministers concerned may cancel the permission mentioned in Article I.

Article VIII. When a person has engaged in any of the important industries without the permission of the State Minister or Ministers concerned, such person shall be punished with a fine not exceeding five thousand yuan (MY5,000).

Article IX. When a person has engaged in any of the important industries falls under either of the cases hereinunder mentioned, such person shall be punished with a fine not exceeding one thousand yuan (MY1,000):

1. When the said person has violated the order issued by the State Minister or Ministers concerned in accordance with the stipulation of Article VII.
2. When the said person has violated the stipulations of Article V.

Article X. When a person has failed to submit the report ordered by virtue of the stipulation of Article IV or has made a false report or has refused, obstructed or evaded the examination mentioned in the same Article, such person shall be punished with a fine not exceeding three hundred yuan (MY300).

Article XI. When a person has violated the stipulation of Article II or Article VI, such person shall be punished with a fine not exceeding one hundred yuan (MY100).

Article XII. When an employee or an operative has committed in connection with his employer's business any act that falls within the purview of the penal regulations of the present law, the employers, as well as the perpetrator of the act, shall be punished. In case, however, the employer is a sufferer from mental derangement or is a minor not possessing the same degree of business ability as an adult, his legal representative or representatives shall be punished.

Article XIII. When an employee or an operative of a juridical person has committed in connection with the business of the said juridical person any act that falls within the purview of the penal regulations of the present law, the executive partner or official of such juridical person, as well as the perpetrator of the act, shall be punished.

In case an executive partner or official of a juridical person has committed any act mentioned in the preceding paragraph, such partner or official shall be punished.

Article XIV. In the cases of Article XII and paragraph 1 of the foregoing Article, when the principal, the legal representative, the partner or the official has proved that there was no means of preventing the act in question from being committed, such person shall not be punished.

SUPPLEMENTARY REGULATIONS

The present law shall come into force on the Tenth day of the Fifth month of the Fourth year of Kangte.

A person who is actually engaged in his business at the time of the coming into force of the present law with a previous permission of the State Minister or Ministers concerned shall be regarded as having obtained permission under the present law.

A person who is actually engaged in his business at the time of the coming into force of the present law without the permission of the State Minister or Ministers concerned shall file a petition for the permission stipulated in the present law within sixty (60) days from the date of enforcement of the present law.

A person who has filed the petition mentioned in the foregoing paragraph may carry on his business as heretofore pending the receipt of the said permission.

FROM MANCHOUKHO OFFICIAL GAZETTE
May 1, 1937 Page 3

(2) Matters Concerning the Enforcement
of the Law Controlling Important Industries
Imperial Ordinance No. 67
Promulgated May 1, 1937

Article I. The important industries as stipulated in paragraph 2 of Article I of the Law Controlling Important Industries shall be as follows:

Arms manufacturing industry;
 Aircraft manufacturing industry;
 Motor Car manufacturing industry;
 Liquid fuel (mineral oils and absolute alcohol) manufacturing industry;
 Iron, steel, aluminum, magnesium, lead, zinc, gold, silver and copper refining industry (the wet process of refining gold or silver being excluded);
 Coal mining industry (that producing less than 50,000 metric tons per annum being excluded);
 Woolen textile manufacturing industry (that carried on by hand-loom being excluded);
 Cotton spinning industry;
 Cotton textile manufacturing industry (that carried on by hand-loom being excluded);
 Hemp thread manufacturing industry (producing more than 50 metric tons per annum);
 Hemp spinning and weaving industry (that carried on by hand-loom being excluded);
 Flour milling industry (having a capacity for a daily production of more than 500 sacks);
 Beer brewing industry;
 Sugar refining industry;
 Tobacco manufacturing industry (producing more than 10,000,000 cigarettes per annum);
 Soda manufacturing industry (refining industry of natural soda being excluded);
 Fertilizer (sulphate of ammonium, nitrate of ammonium, super-phosphate of lime and calcium nitrogen) manufacturing industry;
 Pulp manufacturing industry;
 Oil milling industry (carried on by the abstraction system or that equipped with more than 15 presses);
 Cement manufacturing industry;
 Match manufacturing industry.

Article II. The State Minister or Ministers concerned as referred to in the Law Controlling Important Industries shall be the Minister of Industry (within the jurisdiction of the Department of Mongolia Administration, the Minister of Mongolia Administration) and the Minister of Defense as regards arms and aircraft manufacturing industries; the Minister of Industry (within the jurisdiction of the Department of Mongolia Administration, the Minister of Mongolia Administration) and the Minister of Finance as regards liquid fuel and match manufacturing industries; and the Minister of Industry (within the jurisdiction of the Department of Mongolia Administration, the Minister of Mongolia Administration) as regards the other industries.

Article III. When the Minister of Industry (within the jurisdiction of the Department of Mongolia Administration, the Minister of Mongolia Administration) desires to collect reports or cause examinations to be conducted in connection with arms manufacturing industry by virtue of the stipulations of Article IV of the Law Controlling Important Industries, the said Minister shall consult in advance with the Minister of Defense.

SUPPLEMENTARY

The present ordinance shall come into force on the day of enforcement of the Law Controlling Important Industries.

C E R T I F I C A T E

W.D.C. No. _____
I.P.S. No. 2168

Statement of Authenticity

I, Toru Nakagawa, hereby certify that I am officially connected with the Japanese Government in the capacity of the Chief of the Continental Affairs Section, Overseas Residents Division, Control Bureau, Foreign Office, and that as such official I have seen and know the document attached hereto and described as follows: Official Gazettes of the Manchoukuo Government for May, 1937. I further certify that the attached document is the official publication of the Manchoukuo Government.

Signed at Foreign Office

on this 17th day of July, 1946.

Witness /s/ A.A. Murray

/s/ Toru Nakagawa
Chief of the Continental Affairs
Section, Overseas Residents
Bureau, Control Division,
Foreign Office. (SEAL)

I, Robert Teaze, hereby certify that ATIS Document No. SA 10090, Item 29, described as follows:

"Official Manchuria Government Gazette (MANSHUKOKU SEIFU KOHO)", May 1937,

was obtained by me in the course of my official duties from East Asia Research Institute and on 11 Jun 1946 was delivered to Mr. E. P. Monaghan of the International Prosecution Section.

Date: 18 July 1946

/s/ Robert S. Teaze
ROBERT S. TEAZE
2d Lt., AUS
ATIS Document Section

(Doc. 2168)

Statement of Official Procurement

I, Edward P. Monaghan, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the attached document, IPS No. 2168, Manchoukuo Government Bulletin for May 1937, was obtained by me from Lt. Robert S. Teaze, ATIS Document Section, in the conduct of my official business.

Signed at Tokyo on this

27th day of August, 1946.

Witness: /s/ R.H. Larsh

/s/ Edward P. Monaghan
Name

Investigator, I.P.S.
Official Capacity